

In re: Jan Swerup
Application File No.: 10/571,509
Filing Date: March 10, 2006
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IN THE DRAWINGS:

The attached replacement sheets replace the amended drawing sheets filed on March 10, 2006.

Attachment: Replacement Sheets

REMARKS

Applicant appreciates the Examiner's thorough examination of the present application as evidenced by the Office Action mailed August 27, 2009 ("Office Action"). Applicant especially appreciates the allowance of Claims 53 and 54. In response, Applicant has amended independent Claim 29 to incorporate the recitations of dependent Claims 36 and 37 and have amended independent Claim 42 to incorporate the recitations of dependent Claim 43. These amendments clarify that positioning other connected parties at different positions in space comprises positioning in audio space and that providing information in relation to the position of one of the other connected parties comprises providing audio information from one of the other connected parties such that the audio information is perceived as being positioned in space at the other party. Dependent Claims 36, 37, and 43 have been canceled without prejudice or disclaimer and various claims have been amended to correct their dependencies in light of the cancellation of dependent Claims 36, 37, and 43. In view of the above described amendments, Applicant submits that all pending claims are in condition for allowance. Favorable reconsideration of all pending claims is respectfully requested for at least the reasons discussed hereafter.

Objection to the Drawings

The drawings stand objected to because FIGS. 1, 3, and 4 do not include the labels referenced in the Specification. (Office Action, page 2). In response, Applicant submits herewith replacement sheets for FIGS. 1, 3, and 4 in compliance with 37 CFR 1.121(d) in which labels have been added to the boxes in FIGS. 1, 3, and 4. It is therefore respectfully requested that this objection be withdrawn.

Independent Claims 29 and 42 are Patentable

Independent Claims 29 and 42 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U. S. Patent No. 7,483,400 to Kuusinen et al. ("Kuusinen") in view of U. S. Patent No. 7,231,205 to Guyot et al. ("Guyot"). (Office Action, page 3). Independent Claim 29 has been amended to incorporate the recitations of dependent Claims 36 and 37 and recites, in part:

...
positioning the other connected parties at different positions in space in relation to the portable communication device; and

providing information in relation to the position of one of the other connected parties, when this connected party provides audio information over said connection so that the user of the device can identify which party is active;

wherein positioning comprises positioning in audio space; and wherein providing information comprises providing audio information from said one of the other connected parties processed, based on input made by a user, such that the processed audio information is perceived as being positioned in space at said other party when presented by an information presentation unit.

Independent Claim 42, as amended, includes similar recitations. According to independent Claim 29 positioning other connected parties at different positions in space comprises positioning in audio space and that providing information in relation to the position of one of the other connected parties comprises providing audio information from one of the other connected parties such that the audio information is perceived as being positioned in space at the other party. This is described, for example, in the Specification at page 9, line 25 through page 10, line 2.

The Office Action alleges that Kuusinen discloses the recitations of Claim 37 that have now been incorporated into Claim 29 at col. 7, lines 25 – 35. (Office Action, pages 5 and 6). This passage, however, explains that the Real-Time Transport Protocol (RTP) mixer includes Synchronization Source (SSRC) identifiers associated with the terminals contributing to the conference call. These SSRC identifiers can then be used to identify the participants in the conference call as shown in FIG. 3 of Kuusinen and explained at col. 8, lines 1 – 11. Applicant submits that neither Kuusinen nor Guyot describe positioning the parties in audio space such that the audio information allows the parties to be perceived as being positioned in a particular space relative to each other.

For at least the foregoing reasons, Applicant respectfully submit that independent Claims 29 and 42 are patentable over the cited references and that the pending claims that depend therefrom are patentable at least per the patentability of independent claims from which they depend. Moreover, independent Claims 53 and 54 are allowable as indicated on page 6 of the Office Action.

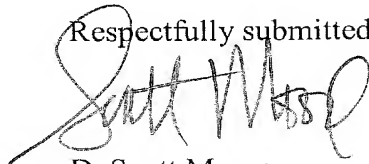
Dependent Claims Are Patentable

As each of the dependent claims depends from a base claim that is believed to be in condition for allowance, Applicant does not believe that it is necessary to argue the allowability of each dependent claim individually. Applicant does not necessarily concur with the interpretation of these claims, or with the bases for rejection set forth in the Office Action. Applicant therefore reserves the right to address the patentability of these claims individually as necessary in the future.

CONCLUSION

In light of the above amendments and remarks, Applicant respectfully submits that the above-entitled application is now in condition for allowance. Favorable reconsideration of this application, as amended, is respectfully requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (919) 854-1400.

Respectfully submitted,

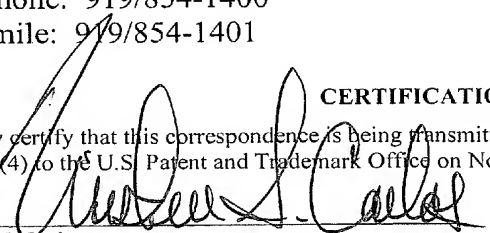


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CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on November 25, 2009.



Kirsten S Carlos